

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In re: : **Chapter 13**
Christine Phelan, : **Case No. 5:22-00754-MJC**
Debtor. :
.....
Percudani Family III, LP, :
New Horizons at Mountains Edge, Inc., :
Percudani Family, LP, : **Adversary Proceeding**
Plaintiffs, : **No. 5:22-00030-MJC**
v. :
Christine Phelan, :
Defendant. :
.....

ORDER SETTING SCHEDULING CONFERENCE

1. A scheduling conference is set for:

United States Bankruptcy Court Max Rosenn U.S. Courthouse, Courtroom 2, 197 South Main Street, Wilkes-Barre, PA 18701	Date: October 27, 2022 Time: 10:00 a.m.
---	--

2. Counsel and unrepresented parties may attend in person or remotely as provided on the Court's website.
3. Counsel attending the conference must be authorized by their clients to make stipulations and admissions about all matters that can reasonably be anticipated for discussion.
4. The Court may consider and take action to formulate and simplify issues and eliminate frivolous claims or defenses.
5. Counsel and unrepresented parties should be prepared to discuss all matters for consideration set forth in Fed. R. Civ. P. 16(c)(2) that would be applicable in a bankruptcy proceeding including:
 - a. Scheduling deadlines for discovery;

- b. Obtaining admissions and stipulations about facts and documents;
- c. Identifying witnesses and documents;
- d. Setting deadlines for the filing of motions in limine or dispositive motions;
- e. Setting deadlines for amending pleadings and joining other parties;
- f. Referring the case or any issues within the case to a mediator or settlement judge;
- g. Setting a trial date.

6. Except as otherwise ordered by the Court, Fed. R. Civ. P. 26(d)(1) and 26(f) will not apply in this proceeding. The deadlines for disclosure required under Fed R. Civ. P. 26(a)(1), (a)(2) and (a)(3)(A) will be set at the scheduling conference.

7. Counsel for each party should be prepared to indicate whether they will consent to the entry of final orders or judgments by this court on any issue in this proceeding, whether or not designated as "core" under 28 U.S.C. §157(b)(3), or whether they wish to proceed to trial before this court with the submission of findings of fact and conclusions of law on specific issues to the District Court.

8. Pursuant to Fed. R. Civ. P. 16(b)(3), the Court will issue a scheduling order following the scheduling conference.

By the Court,



Mark J. Conway, Bankruptcy Judge
Dated: October 11, 2022